

## **EXHIBIT 5**

## Okey Onyejekwe

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**From:** Okey Onyejekwe  
**Sent:** Monday, March 12, 2012 8:41 PM  
**To:** 'Ott, Alexander'; Motionpoint  
**Cc:** TransPerfect Service  
**Subject:** FW: TPs Proposed 2nd Amended Invalidity Contentions

Alex, TransPerfect has not heard any objections from MotionPoint concerning its proposed amendments and intends to file a Motion for Leave to Amend its invalidity contentions this Wednesday, March 14, as unopposed. Please let us know if you have any questions. Thanks.

Okey

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**From:** Okey Onyejekwe  
**Sent:** Thursday, February 16, 2012 7:34 PM  
**To:** 'Ott, Alexander'  
**Cc:** Motionpoint; TransPerfect Service  
**Subject:** RE: TPs Proposed 2nd Amended Invalidity Contentions

Alex,

Thank you for confirming that MotionPoint does not oppose TransPerfect's amendments, as circulated on January 30. Attached is an updated copy of the proposed amendments that incorporates several bases for invalidity that were inadvertently omitted from the prior draft, and that corrects a number of typos. The proposed amended charts remain unchanged (but are attached again for service). We have attached a redline showing these edits for your convenience. We trust that these updates do not affect MotionPoint's position with respect to the amendments, but please let us know if that is not the case.

In principle, TransPerfect does not oppose timely amendments to MotionPoint's invalidity contentions based on the grounds referenced in your email, but cannot take a firm position as to the specific amendments proposed until it has had an opportunity to review them. Please circulate them when they are available and we will consider them in the same spirit as you have considered ours. Thanks.

Okey

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**From:** Ott, Alexander [mailto:Aott@mwe.com]  
**Sent:** Friday, February 03, 2012 2:10 PM  
**To:** Okey Onyejekwe  
**Cc:** TransPerfect Service; Motionpoint  
**Subject:** RE: TPs Proposed 2nd Amended Invalidity Contentions

Okey,

We are willing to agree to your proposed amendments. We are currently considering amendments of our own in light of recent discovery and TransPerfect's amended infringement contentions and assume you will grant us the same courtesy.

Regards,  
Alex

**From:** Okey Onyejekwe [mailto:OOnyejekwe@kasowitz.com]  
**Sent:** Tuesday, January 31, 2012 1:17 AM  
**To:** Ott, Alexander; Freed, Joel; Ou, Philip  
**Cc:** TransPerfect Service  
**Subject:** TPs Proposed 2nd Amended Invalidity Contentions

Counsel,

Enclosed are TransPerfect's proposed amended invalidity contentions regarding MotionPoint's patents-in-suit, which incorporate newly-discovered prior art and reflect the positions taken in MotionPoint's amended infringement contentions, served on December 15, 2011. Please let us know whether MotionPoint will oppose TransPerfect's motion to leave to serve these amended contentions. Thank you.

Okey

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